

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.22232 of 2006

Dated:27.10.2006

Between:

Abhimanyu and another.

...Petitioners

and

The Govt. of A.P., and others.

...Respondent

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.22232 of 2006

ORDER:

The two petitioners are aggrieved by the order of the second respondent dated 19.10.2006 whereby and whereunder he stayed all kinds of construction works being taken up on the land admeasuring Acs.3.08 guntas in Survey No.609 situated at Yellandu Village and Mandal in Khammam District.

As seen from the impugned order, while *suo motu* exercising powers presumably under Section 9 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, and acting on a petition filed by the Hon'ble M.L.A of 282-Yellandu Assembly Constituency, the second respondent passed orders without any notice to the petitioners. During the course of submissions it is brought to the notice of this Court that the Revenue Authorities issued necessary pattadar pass books to the petitioners after due enquiry taking into consideration that the land was initially assigned to the petitioners' father and that the Revenue Officials also admitted the title of the petitioners to the land in their counter affidavits filed in W.P.No.22289 of 2005 which was decided by this Court in favour of the petitioners and Revenue Department on 03.08.2006. This is not denied.

The Joint Collector has posted the matter for hearing on 06.11.2006, and therefore, it would be better if the petitioners approach the Joint Collector and place all the material before the second respondent. On that day the second respondent shall dispose of the matter finally duly considering the observations made by this Court in

its order dated 03.08.2006 in W.P.No.22289 of 2005, and order dated 16.10.2006 in W.P.No.21432 of 2006.

The Writ Petition, with the above observations, is accordingly disposed of. No costs.

(V.V.S.RAO, J)

27.10.2006

Note: Issue C.C by 30.10.2006.

B/o.

vs